

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	Case No. 4:01cr29
	§	(Judge Crone)
FREDERICK RENARD SPILLMAN (6)	§	

REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on July 15, 2014, to determine whether Defendant violated his supervised release.

On September 21, 2001, Defendant was sentenced by the Honorable Paul Brown to sixty-five (65) months' custody followed by eight (8) years of supervised release for the offense of Conspiracy to Manufacture, Distribute, Possess with Intent to Manufacture, Distribute, or Dispense Cocaine Base. On May 8, 2013, Defendant's supervised release was revoked and he was sentenced to six additional months of imprisonment followed by an additional term of supervised release. On September 6, 2013, Defendant completed his second period of imprisonment and began service of his second supervised term.

On July 7, 2014, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserted that Defendant violated various mandatory, standard, and special conditions. The Government agreed to dismiss allegations one and two.

Prior to the Government putting on its case, Defendant entered a plea of true to allegations three, four, five, six, and seven. The Court recommends that Defendant's supervised release be revoked.

RECOMMENDATION

The Court recommends that the District Judge revoke Defendant's supervised release. Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of six (6) months with no supervised release to follow. It is also recommended that Defendant be housed in the Houston Detention Center.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

SIGNED this 15th day of July, 2014.


AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE